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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA**

IN RE:

NANCY J WILLIAMS

STEVE L. WILLIAMS

Debtors

CASE NO. 24-10769

DC NO.: SDS-2

CHAPTER 13 TRUSTEE'S  
OPPOSITION TO CONFIRMATION OF  
CHAPTER 13 PLAN

DATE: June 11, 2025

TIME: 9:30 am

PLACE: U.S. Courthouse  
5th Floor, Dept B, Courtroom 13  
2500 Tulare Street  
Fresno, CA 93721

JUDGE: Hon. Rene Lastreto II

**Lilian G. Tsang**, Chapter 13 Trustee in the above referenced matter, objects to confirmation of the Chapter 13 Plan filed on May 02, 2025, on the following grounds:

**I.**

**BASIS OF OBJECTION**

**1. The plan provides for payments to creditors for a period longer than 5 years. [11 U.S.C. §1322(d)]**

Debtors have failed to produce any evidence that they could qualify for a mortgage refinance. In addition, Debtors have not provided any evidence that they are currently marketing the home for sale or have retained a real estate broker to sell the home. Both options, the refinance and/or sale of the home within 20 months of confirmation, are speculative and illusory, rendering the plan not feasible.

1 **2. The Debtors will not be able to make all payments under the plan and comply with the**  
2 **plan. [11 U.S.C. §1325(a)(6)]**

3 A) The Debtors' plan proposes the following monthly payments to secured creditors:

4 i) Attorney fees, \$250.00 per month starting in month 14,

5 ii) American Honda Financial Corporation, \$640.26 per month,

6 iii) Tulare County Tax Collector, \$165.56 per month.

7 These monthly payments total \$1,160.24 with Trustee compensation and expense. Debtors' plan  
8 payment is only \$1,160.00 per month. Accordingly, Debtors' Plan is not feasible.

9 B) Furthermore, Nonstandard provisions 7.01 of the plan lists a monthly plan payment of  
10 \$1,875.00 per month for months 1-4, \$1,987.00 per month for months 4-6, then \$1,160.00 per  
11 month for months 7-36. Debtors' case was filed on March 26, 2024, and April 2025 was month  
12 13.

13 Pursuant to the First Amended Plan, Debtors are delinquent \$260.95. A total of \$21,581.00 has  
14 come due through and including April 2025, and the Debtors have only paid a total of \$21,320.05 to  
15 date. An additional plan payment of \$1,160.00 will come due on May 25, 2025.

16 **II.**

17 **POINTS AND AUTHORITIES**

18 11 U.S.C §1322(a) provides that a plan shall provide for certain payments to creditors and for  
19 payment of claims within specified classes. Pursuant to 11 U.S.C. §1325(a)(1) the Court shall confirm  
20 a plan if the plan complies with the provisions of Chapter 13 and with other applicable provisions of  
21 this title.

22 11 U.S.C. §1325(a) provides that the Court shall confirm a plan if certain criteria set forth in  
23 §1325(a) is met.

24 The debtors carry the burden of proving, by a preponderance of the evidence, that the plan  
25 complies with the statutory requirements of confirmation. In re Arnold and Baker Farms, 177  
26 B.R.648, 654 (9th Cir. BAP 1994), In re Warren, 89 B.R. 87, 93 (9th Cir. BAP 1988), In re  
27 Wolff, 22 B.R.510, 512 (9th Cir. 1982).

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**WHEREFORE**, the Trustee prays that the Court enters an order denying confirmation.

DATED: 5/20/2025

Respectfully submitted,  
/s/ Lilian G. Tsang  
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Lilian G. Tsang,  
Chapter 13 Trustee